

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 18, 2006

DIVISION ONE

B181675 Lantz Security Systems, Inc. (Not for Publication)
 v.
 Anderson-Barrows Metals Corporation

The judgment is reversed. Lantz Security Systems, Inc. is entitled to its costs on appeal.

Mallano, J.

We concur: Spencer, P.J.
 Rothschild, J.

DIVISION THREE

B181111 People (Not for Publication)
 v.
 Ruby Alvina Puga

The probation condition is modified to read: "Do not use or possess any narcotics, dangerous or restricted drugs or associated paraphernalia except with a valid prescription, and stay away from places you know users, buyers or sellers congregate." In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

May 18, 2006 (Continued)

DIVISION THREE (Continued)

B179757 People (Not for Publication)
v.
Jose Pepe Mitchell, Jr.

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B186465 People Not for Publication)
v.
Nelson Fortenberry

The judgment (order granting probation) is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B184942 People (Not for Publication)
v.
Jonathan T.,
In re Jonathan T., a Person Coming Under the Juvenile Court Law

The order of wardship is affirmed. The trial court is directed to conform its June 28, 2005 minute order to the trial court's oral pronouncement of that date as to probation condition numbers 16 to 21, consistent with this opinion.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION THREE (Continued)

B181808 Fong (Not for Publication)
v.
Kaiser Foundation Health Plan, Inc., et al.

The orders are affirmed. Respondents are awarded costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B184586 People (Not for Publication)
v.
William A.
In re William A., a Person Coming Under the Ju

The order of wardship is modified by (1) modifying probation condition number 15 to read “Do not associate with anyone known by you to be disapproved of by your parents or the probation officer,” (2) modifying probation condition number 16 to read “Do not have any dangerous or deadly weapon in your possession, nor remain in the presence of anyone known by you to be an unlawfully armed person, (3) modifying probation condition number 21 to read “Do not use or possess narcotics, controlled substances, poisons, or related paraphernalia; stay away from places known by you to be places where users congregate,” and (4) awarding appellant 37 days of precommitment credit. As modified, the order of wardship is affirmed. The juvenile court is directed to prepare an amended commitment order and to forward a certified copy thereof to the camp in which appellant was ordered placed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FIVE

[illegible]

The judgments of conviction for lewd conduct by force in violation of Penal Code section 288, subdivision (b)(1) as to counts 2 through 11 are affirmed. Upon issuance of the remittitur, an amended abstract of judgment is to be prepared and forwarded to the Department of Corrections. The corrected abstract of judgment shall reflect: the 50 years to life sentences as to counts 2 through 11; the 5-year enhancement imposed pursuant to Penal Code section 667, subdivision (a)(1); the \$2,200 fines imposed pursuant to Penal Code sections 1202.4, subdivision (b)(1), and 1202.45; and the reduction of presentence conduct credits to 62 days. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Mosk, J.
Kriegler, J.

B187060 People (Not for Publication)
v.
Douglas Dillard

The October 6, 2005 judgment is reversed. The judgment of conviction and the five year prison sentence imposed by Judge Lyman on April 27, 2005 are ordered into effect. The April 27, 2005 judgment imposed by Judge Lyman is modified to reflect that defendant is to pay the \$200 Penal Code section 1202.4, subdivision (b) (1) and section 1202.45 restitution fines. The award of presentence custody credits order is reversed. Upon issuance of the remittitur, defendant's presentence credits are to be recalculated.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

May 18, 2006 (Continued)

DIVISION FIVE (Continued)

B185239 People (Not for Publication)
v.
Benito Alvarez

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Kriegler, J.

B181373 People (Not for Publication)
v.
Ricardo Guevara

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

B183087 People (Not for Publication)
v.
Jerome H.

The wardship order is affirmed. The dispositional order is reversed as noted only in two narrow respects. Upon issuance of the remittitur, the juvenile court is to find whether the theft offense was a misdemeanor or a felony and to calculate the minor's predispositional credits. The dispositional order is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

DIVISION FIVE (Continued)

B189369 Susan M. (Not for Publication)

v.

Superior Court, Los Angeles County
(DCFS, r.p.i.)

The petition is denied.

Turner, P.J.

We concur: Armstrong, J.
Mosk, J.

B184146 Estate of Alberta Patricia McNamara, (Not for Publication)

v.

Zoran Vujic, as Executor, etc
Edward W. Cutter, et al.

The judgment is affirmed. Plaintiff, Zoran Vujic, as executor of the estate of Alberta Patricia McNamara, is to recover costs on appeal jointly and severally from defendants, Edward W. Cutter and Edward Cutter Accountancy Corporation.

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

B184137 Loc Nguyen (Not for Publication)

v.

Dollar Financial

The judgment is affirmed. Defendant, Dollar Financial Group is to recover costs on appeal from plaintiff, Loc Nguyen

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

DIVISION FIVE (Continued)

B187056 Los Angeles County, D.C.S. (Not for Publication)

v.

David R.

In re April R. et al.,

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION SIX

B181822 People (Not for Publication)

v.

Hayes

The judgment is affirmed in case number B181822. The appeals are dismissed in case number B181853.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

B180297 Marchesano, et al. (Not for Publication)

v.

Dekkers

The judgment is affirmed. Dekkers is awarded costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

DIVISION SIX (Continued)

B182733 Totten, etc., et al., (Certified for Publication)
v.
Board of Supervisors of the County of Ventura

Section 1 of the judgment, which upholds the validity of sections 4 and 5 of the Ordinance, is reversed. Sections 4 and 5 of the Ordinance are constitutionally invalid. This reversal renders section 2 of the judgment inoperative. In all other respects, the judgment is affirmed. Pursuant to paragraph 5 at pages 8-9 of the Agreement, appellant shall recover its costs on appeal from the City of Thousand Oaks and Citizens for a Safe Ventura County.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION SEVEN

B180004 People (Certified for Publication)
v.
Walker

The judgment is affirmed. The abstract of judgment is ordered corrected to reflect imposition of an additional one-year sentence enhancement pursuant to Penal Code section 667.5, subdivision (b), and a stay of execution of that additional one-year term. The superior court is directed to prepare a corrected abstract of judgment and to forward it to the Department of Corrections.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

May 18, 2006 (Continued)

DIVISION EIGHT

B179751 Janet E. Burkle (Certified for Publication)

v.

Ronald W. Burkle

In re Marriage of Janet E. and Ronald W. Burkle

The order is affirmed. Ronald W. Burkle is to recover his costs on appeal.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.